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James R. Tranchina

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EXAMINER

VU, NGOC K

ART UNIT

PAPER NUMBER

2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/698,915

Applicant(s)

TRANCHINA, JAMES R.

Examiner

Ngoc K. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-12, 14 and 16-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 14, and 16-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/2/06 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-5, 7-12, 14, and 16-36 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 7-12, 14, and 16-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allan et al. (US 6,339,455 B1) in view of Wugofski et al. (US 6,553,567 B1) and further in view of Treyz et al. (US 6,526,335 B1).

Regarding claim 1, Allan teaches an overhead console for a vehicle (see figures 1-4), comprising: an assembly housing (1) adapted to mount against an interior surface of the vehicle (see figure 2); a receiver (10 - see figure 4) mounted to the said assembly housing and adapted to receive signals from at least one video input source (see col. 2, lines 46-49 and 55-

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58; figure 2); a display device (3 - see figures 1, 2, 4) pivotally mounted to said assembly housing and operatively coupled to said receiver, wherein the display device is adapted to reproduce the signals and movement of the display device is limited to pivoting (see col. 2, lines 29-32 and figures 1-2; col. 1, lines 38-42); a processor (within 17) adapted to execute applications (software) associated with said console; and an operating system (within 17) adapted to manage the applications (software) associated with said console (see col. 2, lines 59-63), wherein the receiver, the display device, the processor and the operating system are connected by a bus (wire or line within housing 1 - see figures 1-4).

Allan does not teach receiving wireless signal from the video source via a wireless receiver. However, Wugofski teaches receiving signals wirelessly via a wireless receiver 114-118 from video input source 102-106 as shown in figure 1 (see figure 1). Therefore, it would have been obvious to one of ordinary skill in the art to modify the system of Allan by receiving wireless signals from video input source via a wireless receiver as taught by Wugofski in order to eliminate wires or lines around the passengers and driver within the vehicle.

Both Allan and Wugofski do not explicitly disclose the limitation of media is wirelessly sent to the console from portable personal assistant (PDA) and from a smart phone with further regarding claim 1 and claim 30. However, Treyz discloses transmitting media, i.e., MP3 files, wirelessly from a wireless device to automobile personal computer 14 within a vehicle, wherein the wireless device is PDA and/or cellular telephone. It is further noted that the automobile personal computer comprises speakers and display for outputting audio and video signal. (See col. 10, lines 23-37; col. 44, lines 57-64; col. 79, lines 46-55; figures 1 and 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Allan and Wugofski by wirelessly transmitting media from a PDA and/or cellular telephone to automobile personal computer within a vehicle as taught by Treyz in

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order to allow the user easily download the media to the vehicle at the user's convenience. However, Treyz does not explicitly disclose displaying the media, wherein the media comprising audio and video content with respect to further claims 1, 30, and 36. Official Notice is taken that providing media comprised audiovisual content from an electronic device to a receiver for displaying the media is well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Allan, Wugofski, and Treyz by providing media comprised audiovisual content from an electronic device to a receiver in order to allow the user selectively display the received content for viewing.

Regarding claim 2, Allan as modified by Wugofski further teaches that the wireless signals are radio frequency (see Wugofski: col. 3, lines 1-3).

Regarding claim 3, the combination teaching of Allan and Wugofski teaches that the input source from DVD player includes circuitry for producing video signals and the input source comprises a wireless transmitter (106 - see figure 1) for transmitting the wireless signals (see Allan: figure 4; Wugofski: figure 1 and col. 2, lines 60-62).

Regarding claims 4 and 9, Allan as modified by Treyz further teaches that the console further comprise a wireless joystick or mouse detachable from the console (see col. 14, lines 49-51).

Regarding claim 11, the combined teaching of Allan and Wugofski further includes signal processing facilities (within receiver) adapted to perform signal processing with respect to the wireless signals (see Wugofski: figure 1).

Regarding claim 14, Allan as modified by Wugofski further teaches a wireless transmitter (106) (see Wugofski: figure 1).

Regarding claims 16 and 17, Allan teaches that the display device is a TFT color monitor that is flat and has an active matrix (see col. 3, lines 22-23).

Regarding claim **18**, Allan as modified by Treyz further teaches touch screen feature (see Treyz: col. 20, lines 30-34; col. 28, lines 52-56).

Regarding claim **19**, Allan as modified by Wugofski teaches wireless receiver is disposed within the display device (see Wugofski: figure 2).

Regarding claim **20**, Allan as modified by Wugofski teaches that the wireless receiver is disposed external to the display device (see Wugofski: figure 1).

Regarding claim **21**, Allan as modified by Wugofski further teaches that the wireless signals comprise audio/video (see Wugofski: col. 2, lines 60-65).

Regarding claim **22**, Allan as modified by Wugofski further teaches that the wireless receiver (114-118) comprises an antenna (114 - see Wugofski: figure 1 ).

Regarding claim **23**, Allan as modified by Wugofski further teaches that the wireless transmitter (106) comprises an antenna (see Wugofski: figure 1 ).

Regarding claim **24**, Allan shows that the assembly housing is adapted to mount against a roof of the vehicle (see figures 1-2; col. 1, lines 5-6 and 31-36).

Regarding claim **25**, Allan teaches an console for a vehicle (see figures 1-4), comprising: an assembly housing (1) adapted to mount against an interior surface of the vehicle (see figure 2); a display device (3 - see figures 1, 2, 4), houseable in said assembly housing, adapted to reproduce the signals (see col. 2, lines 29-32 and figures 1-2; col. 1, lines 38-42), said display device comprising: a receiver, disposed in said display device, (10 - see figure 4) adapted to receive signals from at least one video input source (see col. 2, lines 46-49 and 55-58; figure 2); a processor (within 17 contains software and/or application), the receiver, and the display device are connected by a bus (wire or line within housing 1 - see figures 1-4).

Allan does not teach receiving wireless signal from the video source via a wireless receiver. However, Wugofski teaches receiving signals wirelessly via a wireless receiver 114-

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118 from video input source 102-106 as shown in figure 1 (see figure 1). Therefore, it would have been obvious to one of ordinary skill in the art to modify the system of Allan by receiving wireless signals from video input source via a wireless receiver as taught by Wugofski in order to eliminate wires or lines around the passengers and driver within the vehicle.

Both Allan and Wugofski do not explicitly disclose a web browser adapted to interact with one of the Internet and the World Wide Web, and hardware corresponding to the web browser. However, Treyz discloses that user may access web page using a web browser running on automobile personal computer. The web browser is software/application which may be stored in storage within the automobile personal computer. It is noted that one or more buses or other interconnection arrangements may be used to interconnect the components of the automobile personal computer. (See figure 3; col. 16, lines 17-19; col. 20, lines 62-65; col. 38, lines 55-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Allan and Wugofski by including a web browser adapted to interact with one of the Internet and the word wide web, wherein the web browser is connected by a bus as taught by Treyz in order to provide interactive service to users to enhance the automobile personal computer system.

Both Allan and Wugofski do not explicitly disclose the limitation of media is wirelessly sent to the console from a portable telephone. However, Treyz discloses transmitting media, i.e., MP3 files, wirelessly from a wireless device to automobile personal computer 14 within a vehicle, wherein the wireless device is a cellular telephone. It is further noted that the automobile personal computer comprises speakers and display for outputting audio and video signal. (See col. 10, lines 23-37; col. 44, lines 57-64; col. 79, lines 46-55; figures 1 and 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Allan and Wugofski by wirelessly transmitting

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media from a cellular telephone to automobile personal computer within a vehicle as taught by Treyz in order to allow the user easily download the media to the vehicle at the user's convenience. However, Treyz does not explicitly disclose displaying the media. Official Notice is taken that providing media comprised audiovisual content from an electronic device to a receiver for displaying the media is well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Allan, Wugofski, and Treyz by providing media comprised audiovisual content from an electronic device to a receiver in order to allow the user selectively display the received content for viewing.

Regarding claim 26, Allan teaches an overhead console for a vehicle (see figures 1-4), comprising: an assembly housing (1) adapted to mount against an interior surface of the vehicle (see figure 2); a receiver (10 - see figure 4) mounted to the said assembly housing and adapted to receive signals from video input source (see col. 2, lines 46-49 and 55-58; figure 2); a display device (3 - see figures 1, 2, 4) pivotally mounted to said assembly housing and operatively coupled to said receiver, wherein the display device is adapted to reproduce the signals and movement of the display device is limited to pivoting (see col. 2, lines 29-32 and figures 1-2; col. 1, lines 38-42).

Allan fails to teach a wireless transceiver adapted to send and receive the wireless signals from a plurality of input sources, wherein at least one input source is part of a network external to the vehicle. However, Wugofski teaches that a system comprises a wireless receiver 118 receives wireless signals from video input source and further comprises a wireless transmitter 148 to transmit signals to other device (see figure 1 ). Therefore, it would have been obvious to one of ordinary skill in the art to modify the system of Allan by receiving wireless signals from external video input source via a wireless receiver and transmitting signals to other



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device via a wireless transmitter as taught by Wugofski in order to eliminate wires or lines around the passengers and driver within the vehicle.

Both Allan and Wugofski do not explicitly disclose the limitation of media is wirelessly sent to the console from a portable personal computer (PC). However, Treyz discloses transmitting media, i.e., MP3 files, wirelessly from a wireless device to automobile personal computer 14 within a vehicle, wherein the wireless device is a portable computer. It is further noted that the automobile personal computer comprises speakers and display for outputting audio and video signal. (See col. 10, lines 23-37; col. 44, lines 57-64; col. 79, lines 46-55; figures 1 and 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Allan and Wugofski by wirelessly transmitting media from a portable computer to automobile personal computer within a vehicle as taught by Treyz in order to allow the user easily download the media to the vehicle at the user's convenience. However, Treyz does not explicitly disclose displaying the media. Official Notice is taken that providing media comprised audiovisual content from an electronic device to a receiver for displaying the media is well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Allan, Wugofski, and Treyz by providing media comprised audiovisual content from an electronic device to a receiver in order to allow the user selectively display the received content for viewing.

Regarding claim 27, Allan teaches an overhead console for a vehicle (see figures 1-4), comprising: an assembly housing (1) adapted to mount against an interior surface of the vehicle (see figure 2); a receiver (10 - see figure 4) mounted to the said assembly housing and adapted to receive signals from video input source (see col. 2, lines 46-49 and 55-58; figure 2); a display device (3 - see figures 1, 2, 4) houseable in said assembly housing and operatively coupled to

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said receiver, adapted to reproduce the signals (see col. 2, lines 29-32 and figures 1-2; col. 1, lines 38-42).

Allan fails to teach a wireless receiver adapted to receive the wireless signals from at least one video input sources. However, Wugofski teaches that a system comprises a wireless receiver 118 receives wireless signals from video input source (see figure 1 ). Therefore, it would have been obvious to one of ordinary skill in the art to modify the system of Allan by receiving wireless signals from video input source via a wireless receiver as taught by Wugofski in order to eliminate wires or lines around the passengers and driver within the vehicle.

Allan fails to teach a wireless transmitter adapted to transmit wireless control signals to a wireless receiver for configuring controls and applications on the display, whereby the display displays control modules. However, Treyz of the record teaches that user may interact with automobile personal computer 14 by using user input interface such as device 316 over wireless link. The user may adjust settings for the automobile personal computer system such as adjusting settings related to an application running on the automobile personal. The user may change settings by using user input interface. Feedback from the automobile personal computer may be provided as visual information on display. The adjusting settings are described in connection with arrangement of figure 15 such that email alert settings included options 336, 338, 340 and/or radio settings included options 342 are displayed on screen. (See col. 20, lines 24-37; col. 19, lines 46-50 and 55-58; and figure 15). Therefore, it would have been obvious to one of ordinary skill in the art to modify the combined system of Allan and Wugofski by including a wireless transmitter to transmit wireless control signals to a wireless receiver for adjusting setting and displaying settings options on the display as taught by Treyz in order to allow user to remotely adjust settings the automobile personal computer in the vehicle.

Both Allan and Wugofski do not explicitly disclose the limitation of media is wirelessly sent to the console from a portable personal computer (PC). However, Treyz discloses transmitting media, i.e., MP3 files, wirelessly from a wireless device to automobile personal computer 14 within a vehicle, wherein the wireless device is a portable computer. It is further noted that the automobile personal computer comprises speakers and display for outputting audio and video signal. (See col. 10, lines 23-37; col. 44, lines 57-64; col. 79, lines 46-55; figures 1 and 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Allan and Wugofski by wirelessly transmitting media from a portable computer to automobile personal computer within a vehicle as taught by Treyz in order to allow the user easily download the media to the vehicle at the user's convenience. However, Treyz does not explicitly disclose displaying the media. Official Notice is taken that providing media comprised audiovisual content from an electronic device to a receiver for displaying the media is well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Allan, Wugofski, and Treyz by providing media comprised audiovisual content from an electronic device to a receiver in order to allow the user selectively display the received content for viewing.

Regarding claim 28, the combinations of Allan and Wugofski further in view of Treyz fail to teach that wireless transmitter is adapted to be detachable from the console. Official Notice is taken that both the concept and advantages of providing vehicle consoles with detachable controllers (i.e., wireless transmitters) are well known in the art. Consoles with detachable controllers are well known in vehicles, wherein devices utilized with the console are attached to the console when not in use and are further detachable, so that a passenger may utilize the device and return the device to the console for storage to prevent loss or damage to the device.

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Therefore, it would have been obvious to one of ordinary skill in the art to modify the combined system of Allan and Wugofski further in view of Treyz to incorporate the wireless transmitter is detachable from the console so that a passenger may utilize the device and return the device to the console for storage to prevent loss or damage to the device.

Regarding claim **29**, the combination of Allan and Wugofski as modified by Treyz further teaches that the wireless transmitter, i.e., remote control, for operating an automobile personal computer system. A wireless remote control which outputs control signals in response to user selection of commands inherently discloses a processor and associated memory for executing and storing programs because the remote control is necessarily executing programs which are stored on the remote control, which also necessarily requires a processor to execute for programs, wherein the remote control receives an input, associates the input with a corresponding command, and subsequently generates the particular command signal to be transmitted to the receiving device.

Regarding claim **35**, the combined teachings of Allan, Wugofski and Treyz include that the control modules are selected via touch screen controls displayed on the display device (see Treyz: col. 20, lines 31-34; col. 28, lines 52-56 and figure 15).

Regarding claim 31 and 32, the combined teaching of Allan and Wugofski does not explicitly disclose the wireless signals are infrared or optical. Official Notice is taken that it is well known in the art utilizing infrared transmission or wireless optical transmission to eliminate the conventional wiring or to implement at relatively low cost. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Allan and Wugofski by utilizing infrared transmission or wireless optical transmission in order to eliminate the conventional wiring or to implement at relatively low cost.

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Regarding claim 33, Allan shows that the display device pivots downward and away from the assembly housing from a stowed position to a viewing position (see figures 1-2; col. 2, lines 29-35).

Regarding claim 34, Allan shows that the display device pivots downward and away from the assembly housing from a stowed position to a viewing position (see figures 1-2; col. 2, lines 29-35).

Regarding claims 7-8, Allan as modified by Treyz further teach the system further comprising a web browser to interact with one of the Internet and the World Wide Web using wireless application protocol (see Treyz: figure 3; col. 16, lines 17-19; col. 20, lines 62-65; col. 38, lines 55-65; col. 58, lines 42-46).

Regarding claim 10, Allan as modified by Treyz further teach the system further comprising a voice recognition system (see Treyz: col. 13, lines 44-49; col. 19-20, lines 63-12; col. 39, lines 38-47).

Regarding claim 12, Allan as modified by Treyz further teach the text-to-speech system (see col. 20, lines 13-24; col. 73, lines 48-56).

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allan et al. (US 6,339,455 B1 ) in view of Wugofski et al. (US 6,553,567 B1) and further in view of Treyz et al. (US 6,526,335 B1) and Holloway et al. (US 6,256,317).

Regarding claim 5, Allan and Wugofski fail to teach the wireless signals are transmitted through one of a packet-switched wireless network and a circuit-switched wireless network. However, Holloway teaches that a packet-switched network wherein wireless signals are utilized to transmit data between stations for the benefit of providing a multiple access network with improved performance, collision resolution, and multiple priority levels of access (see figure 1; col. 4, lines 12-44; figure 4; col. 6-7, lines 66-6; col. 4, lines 12-31). Therefore, it would have

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been obvious to one of ordinary skill in the art to modify the combined system of Allan, Wugofski, and Treyz in order to incorporate the wireless signals are transmitted through a packet-switched wireless network as taught by Holloway in order to provide a multiple access network with improved performance, collision resolution, and multiple priority levels of access in a video distribution system.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



NGOC K. VU  
PRIMARY EXAMINER  
Art Unit 2623

December 15, 2006